

Appln. No. 09/830,559
Reply to the Office Action of November 19, 2003

DOCKET NO.: 206704US0CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

:

Hisaki CHAKI et al

: GROUP ART UNIT: 1653

SERIAL NO.: 09/830,559

: EXAMINER: C. Kam

FILED: May 7, 2001

:

FOR: NOVEL COMPOUNDS AND
PHARMACEUTICAL USE THEREOF

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA. 22313

SIR:

The following is responsive to the Official Letter dated November 19, 2003, concerning the above-identified application.

REMARKS

Claims 1-40 are active in the case. Reconsideration of the restriction requirement is respectfully requested.

The Examiner, in her letter of the above date, is requiring the election of one of the benzene derivatives of Claims 9, 12, 14, 16, 18, 19(20), 22, 24, 26 and 28 to complete the election of species requirement. In response thereto, applicants elect the benzene derivative of Claim 9 for examination with traverse.

Applicants, according to their previous understanding, elected as species the benzene

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derivatives of Claims 9, 12, 14, 16, 18, 19(20), 22, 24, 26 and 28. However, in view of the redefinition of the election requirement, applicants hereby elect the benzene derivative of Claim 9 for examination with traverse.

In traversing the requirement, applicants do so from the perspective of providing the Examiner with a starting point from which to conduct a search of relevant prior art. Applicants therefore expect, that upon a failure to uncover relevant prior art with respect to the elected compound, the search for relevant prior art should and must be extended to other art that are relevant to broader claimed aspects of the invention.

It is now believed that the application is in proper condition for consideration on its merits.

Respectfully submitted,

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Docket No.: 206704US0PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/830,559
Applicants: Hisaaki CHAKI, et al.
Filing Date: May 7, 2001
For: NOVEL COMPOUNDS AND PHARMACEUTICAL
USE THEREOF
Group Art Unit: 1653
Examiner: C. Kam

SIR:

Attached hereto for filing are the following papers:

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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